

GIS REGISTRY INFORMATION

SITE NAME:	Kohn's Citgo			FID #	
BRRTS #:	03-67-174844			(if appropriate):	
COMMERCE # (if appropriate):	53040-0472-16				
CLOSURE DATE:	January 27, 2003				
STREET ADDRESS:	516 Main St.				
CITY:	Kewaskum				
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):	X =	663853	Y =	340216	
CONTAMINATED MEDIA:	Groundwater	<input type="checkbox"/>	Soil	<input type="checkbox"/>	Both <input checked="" type="checkbox"/>
OFF-SOURCE GW CONTAMINATION >ES:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	
• IF YES, STREET ADDRESS:	502 Main St.				
• GPS COORDINATES (meters in WTM91 projection):	X =	663832	Y =	340219	
OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
• IF YES, STREET ADDRESS 1:					
• GPS COORDINATES (meters in WTM91 projection):	X =		Y =		
CONTAMINATION IN RIGHT OF WAY:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	
<u>DOCUMENTS NEEDED</u>					
Closure Letter, and any conditional closure letter issued					<input checked="" type="checkbox"/>
Copy of most recent deed, including legal description, for all affected properties					<input checked="" type="checkbox"/>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties					<input checked="" type="checkbox"/>
County Parcel ID number, if used for county, for all affected properties					<input checked="" type="checkbox"/>
Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.					<input checked="" type="checkbox"/>
Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.					<input checked="" type="checkbox"/>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)					<input checked="" type="checkbox"/>
Tables of Latest Soil Analytical Results (no shading or cross-hatching)					<input checked="" type="checkbox"/>
Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.					<input checked="" type="checkbox"/>
GW: Table of water level elevations, with sampling dates, and free product noted if present					<input checked="" type="checkbox"/>
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)					<input checked="" type="checkbox"/>
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour					<input type="checkbox"/>
Geologic cross-sections, if required for SI. (8.5x14" if paper copy)					<input type="checkbox"/>
RP certified statement that legal descriptions are complete and accurate					<input checked="" type="checkbox"/>
Copies of off-source notification letters (if applicable)					<input checked="" type="checkbox"/>
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)					<input checked="" type="checkbox"/>
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure					<input checked="" type="checkbox"/>



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
101 West Pleasant Street, Suite 100A
Milwaukee, Wisconsin 53212-3963
TDD #: (608) 264-8777
Fax #: (414) 220-5374
<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>
Jim Doyle, Governor
Cory L. Nettles, Secretary

January 27, 2003

Mr. James Kieckhaefer
627 Elm St.
West Bend, WI 53095

RE: **Final Closure**

Commerce # 53040-0472-16 **WDNR BRTS # 03-67-174844**
Kohn's Citgo, 516 Main St., Kewaskum

One 550-gallon gasoline underground storage tank removed in 1986

Dear Mr. Kieckhaefer:

The Wisconsin Department of Commerce (Commerce) has received all items required for closure of the site referenced above. This site is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual contamination.

It is in your best interest to keep all documentation related to the environmental activities at your site. If residual contamination is encountered in the future, appropriate measures must be implemented to assure that it is managed following all applicable regulations. If future site conditions indicate that any remaining contamination poses a threat, and subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5403.

Sincerely,

A handwritten signature in cursive script, reading 'Lee R. Delcore'.

Lee R. Delcore
Hydrogeologist
Site Review Section

cc: **Drake Environmental, Inc.**
O'Meara Law Firm, LLP
Case File



ENVIRONMENTAL & REGULATORY SERVICES
101 West Pleasant Street Suite 205
Milwaukee, Wisconsin 53212
TDD #: (608) 264-8777
Fax: (414) 220-5374
www.commerce.state.wi.us
Tommy G. Thompson, Governor
Brenda J. Blanchard, Secretary

December 29, 2000

James Kieckhafer
Kohn's Citgo
627 Elm St.
West Bend, WI 53095

RE: COMMERCE # 53040-0472-16
Kohn's Citgo, 516 Main St., Kewaskum, WI 53040

Petroleum contamination related to the 550 gal. gasoline UST removed in 1986

Case Closure (conditional upon receipt of documentation)

Dear Mr. Kieckhafer:

On June 30, 2000, the Department of Natural Resources transferred the above-referenced case to the Wisconsin Department of Commerce for regulatory oversight. On November 9, 2000, we received a request for case closure.

Using the standards established in NR 700, and the risk criteria of Comm 46, the Department has determined that this site does not pose a significant threat to the environment and human health, and no further investigation or remedial action is necessary. In making this determination, I reviewed the following documents prepared by Drake Environmental, as well as other information in the case file.

- *Remedial Investigation Work Plan*, December 10, 1997
- *Remedial Investigation Report*, August 27, 1998
- *Soil Remediation Documentation and Groundwater Monitoring Report*, April 8, 1999
- Letter RE: *Groundwater Monitoring Report/Closure Request* . . . November 8, 2000

If, in the future, site conditions indicate that any contamination that might remain poses a threat, the need for further remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

IMPORTANT: we cannot list this case as "closed" on our computer database until we receive the following items. Please submit them to my attention at the letterhead address.

James Kieckhafer

RE: COMMERCE # 53040-0472-16

Kohn's Citgo

516 Main St., Kewaskum, WI 53040

December 29, 2000

Page 2

1. Notifications must be placed on the property deeds of the subject site (516 Main Street) and the property west of the subject site.

The notices must address residual soil and groundwater impacts. For case closure we will need copies of the deed notifications which contain the County Register of Deeds' recording information.

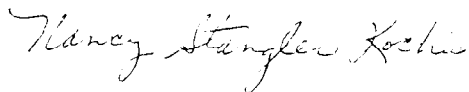
Enclosed are two examples of "Notice of Contamination to Property" for your use; one is for the subject site, one is for the property to the west. You may attach a map and/or tables if you wish. If you wish to modify the language, submit a copy to this office for review prior to filing.

2. The municipal clerk and municipal department or state agency responsible for Main Street must be notified of potentially impacted soil/groundwater beneath Main Street and within the Main Street right-of-way adjacent to the Kohn's Citgo property. Please send us a copy of the letter containing the notification of the potential impacts.

3. Please provide abandonment documentation for monitoring wells W-1 through 5, and EXT-1.

Thank you for your efforts in the protection of the environment. If you have any questions, please call me at (414) 220-5372.

Sincerely,



Nancy S. Kochis
Hydrogeologist
PECFA Site Review Section

enclosure

cc: Dean Fenske, Drake Environmental (with enclosure)
electronic case file

782682

PERSONAL
REPRESENTATIVE'S DEED

Document Number

RECORDED

90 JUN -5 AM 10:44

RECORDED
INDEXED
OF WASHINGTON COUNTY

JAMES W. KIECKHAFFER, as Personal Representative of the estate of ROBERT L. KOHN ("Decedent"), for a valuable consideration conveys without warranty to JAMES W. KIECKHAFFER, TRUSTEE OF THE ROBERT L. KOHN TESTAMENTARY TRUST, Grantee, the following described real estate in WASHINGTON County, State of Wisconsin (hereinafter called the "Property"):

Lot Eleven (11) of Block Thirty-nine (39) in the ASSESSOR'S PLAT of the Village of Kewaskum, Washington County, Wisconsin.

Lots Twelve (12) and Thirteen (13) of Block Thirty-nine (39) in the ASSESSOR'S PLAT of the Village of Kewaskum, Washington County, Wisconsin.

Transfer Fee Exempt 77.25(11)

Recording Area
Name and Return Address

McKenna Law Office
P.O. Box 550
Kewaskum, WI 53040-0550

V.4-0512 & V.4-0513
(Parcel Identification Number)

Personal Representative by this deed does convey to Grantee all of the estate and interest in the Property which the Decedent had immediately prior to Decedent's death, and all of the estate and interest in the Property which the Personal Representative has since acquired.

Dated this 4th day of June, 1998.

James W. Kieckhafer
James W. Kieckhafer

*/
Personal Representative

*/
Personal Representative

AUTHENTICATION

Signature(s) James W. Kieckhafer, Personal

Representative of the Estate of Robert L. Kohn

authenticated this 4th day of June, 1998.

Roger W. McKenna
Signature
Roger W. McKenna
type or print name

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Atty. Roger W. McKenna #1006965
Kewaskum, WI 53040-0550

ACKNOWLEDGMENT

STATE OF //
// COUNTY

Personally came before me this // day of //, the above named //, as Personal Representative of the Estate of //, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

signature _____
type or print name _____

Notary Public //, County, //

My commission is permanent. (If not, state expiration date: _____.)

*Names of persons signing in any capacity should be typed or printed below their signatures.

Vol 1146 P. 620

DOCUMENT NO.

586397

STATE BAR OF WISCONSIN FORM 1 - 1982

WARRANTY DEED

This Deed, made between

JOHN C. HUBBELL

, Grantor,

and
JAMES P. FILO and SHARON A. FILO,
husband and wife

, Grantee.

Witnesseth, That the said Grantor, for a valuable consideration of
One Dollar and other good and valuable consideration conveys to Grantee the following
described real estate in
County, State of Wisconsin: **WASHINGTON**

THIS SPACE RESERVED FOR RECORDING DATA

RECORDED
OCT 9 8 41 AM '91
CLERK OF CLERK
OF WASHINGTON COUNTY WIS.

RETURN TO
M/M James R. Filo
2644 Newark Dr. 53095
West Bend, WI

Tax Parcel No: **V4-0502**

Lot One (1) of Block Thirty-nine (39) in the ASSESSOR'S PLAT of the
Village of Kewaskum, Washington County, Wisconsin.

TRANSFER

\$ 147.00
FEE

This is not homestead property.
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereto belonging:
And Grantor warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except
municipal and zoning ordinances, recorded easements for public
utilities, recorded building and use restrictions and covenants, and
general taxes levied in the year of closing.

and will warrant and defend the same.

Dated this 4th day of **OCTOBER, 1991**

(SEAL)

John C. Hubbell (SEAL)
JOHN C. HUBBELL

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____

TITLE MEMBER STATE BAR OF WISCONSIN

(If not,
authorized by Subsec. 708.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

DARLENE A. KREMER

HOMETOWN REALTY OF WEST BEND, INC.

(Signatures may be authenticated or acknowledged. Both
are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

WASHINGTON County.

Personally came before me this 4th day of
OCTOBER, 1991
the above named

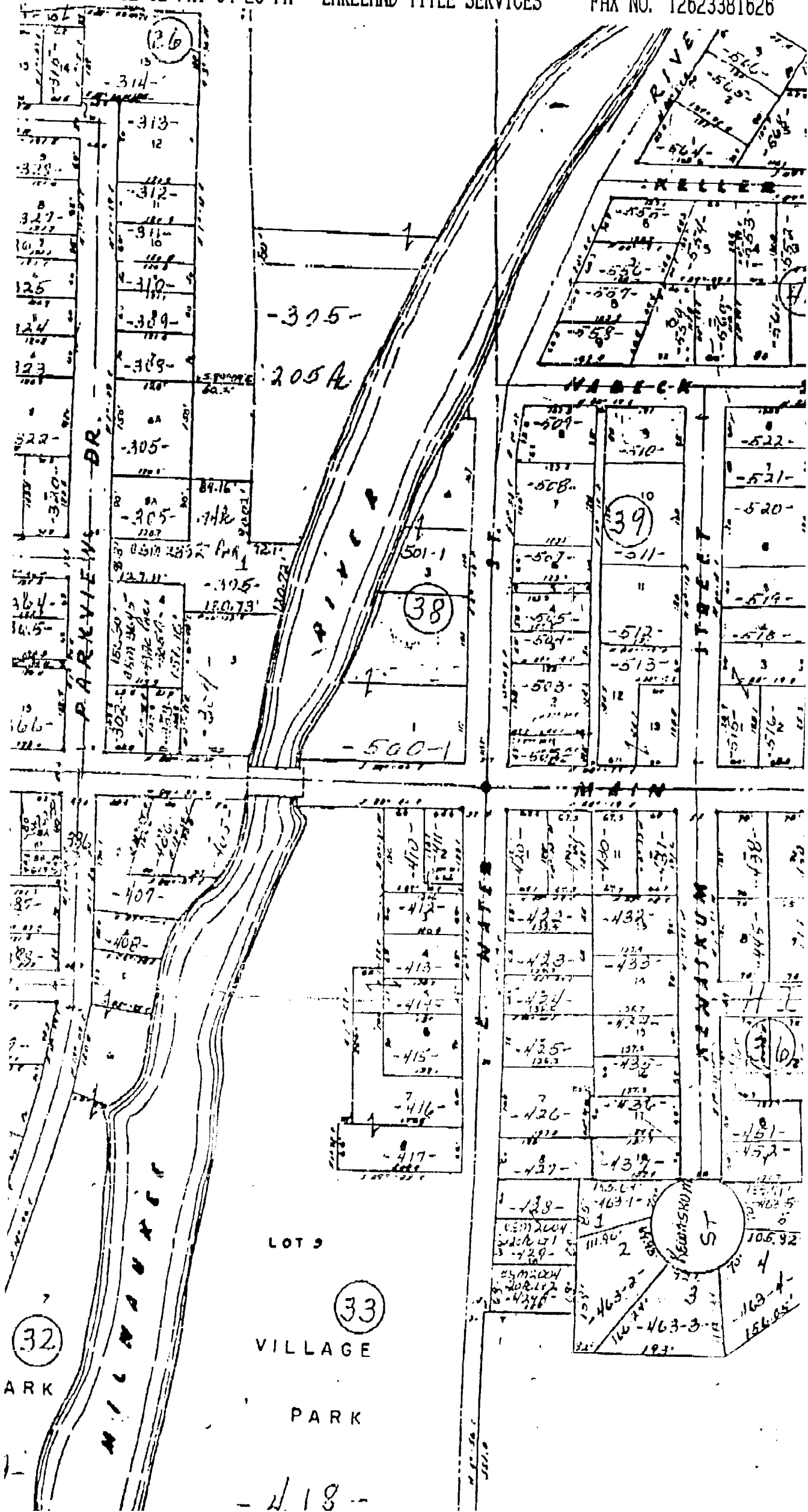
JOHN C. HUBBELL

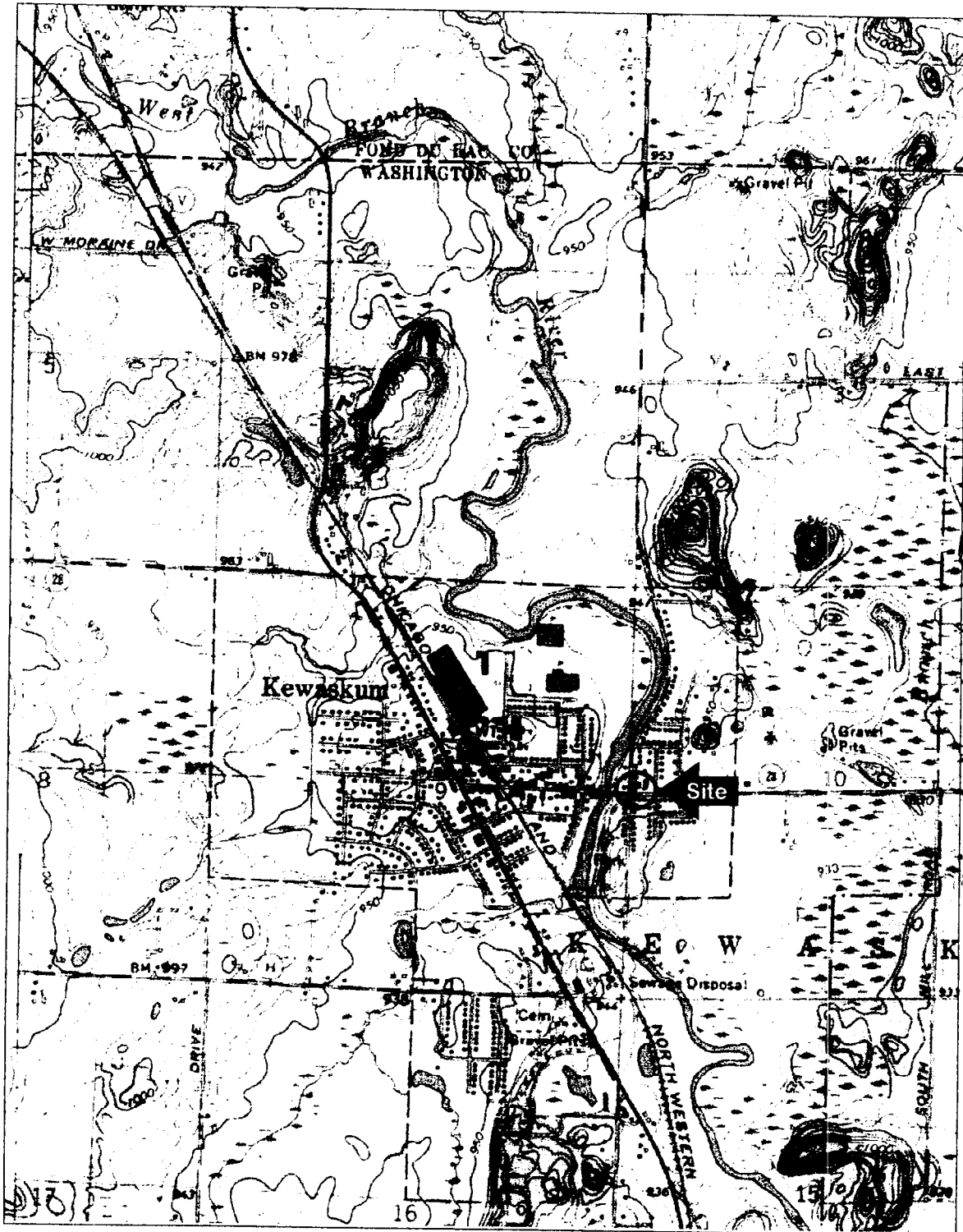
to my known to be the person
executing instrument and acknowledge the same.

Darlene A. Kremer
DARLENE A. KREMER

Notary Public **Washington** County, Wis.

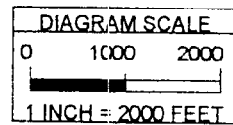
My Commission
Exp. Date: **5/8/94**





CREATED FROM FROM TOPOSCOUT (DIGITAL TOPOGRAPHIC DATA ON CD)

KEWASKUM - WISCONSIN
SW 1/4 NW 1/4 SEC 10 T12N R19E



KOHN'S CITGO
MONITORING PROGRAM

PROJECT NO. J97202 PM: DMF
TOPO COPIED DATE: 10/03/00
CHKD BY: *DMF* DATE: 10-17-02
APRVD BY: DATE:

VICINITY
DIAGRAM

FIGURE

1

December 22, 2002



Ms. Linda Michalets
Wisconsin Department of Commerce
101 W. Pleasant Street, Suite 100A
Milwaukee, WI 53212

RE: Documentation for GIS Registry for the Kohn's Citgo Property in Kewaskum,
Wisconsin — Drake Project No. J97202; DNR File Reference No. 03-67-174844;
PECFA Claim No. 53040-0472-16

Dear Ms. Michalets:

The Kohn's Citgo is located at 516 Main Street in the Village of Kewaskum, Wisconsin. This letter presents the required documentation as outlined on the DNR, Bureau of Remediation and Redevelopment "Checklist of Documents for GIS Registry Packet" (PUB-RR-688) for registration of the subject site on the DNR GIS Registry. The one time fee of \$250 for groundwater registration has been forwarded to the Wisconsin DNR and a copy of the check is enclosed.

A copy of the most recent deed including the legal description for the property and a copy of the certified survey map or relevant section of the recorded plat map for the property are attached.

The parcel identification number for the Kohn property is V.4-0512 & V.4-5013. The parcel identification number for the Filo property is V.4-502. The geographic position of the property is 663853, 340216 in WTM91 projection coordinates.

A location map illustrating the location buildings, roads, approximate property boundaries, contaminant sources, utilities, and monitoring wells is attached.

A map depicting the groundwater monitoring point (EXT-1) at which contamination exceeds ch. NR 140 enforcement standards and which illustrates that MW-1 has only a PAL exceedance.

Drake Environmental, Inc.
Attn: Ms. Linda Michalets
101 W. Pleasant Street, Suite 100A
Milwaukee, WI 53212
Tel: 414.224.1144
Fax: 414.224.1144

Tables of the groundwater analytical results, pre-remedial and post-remedial soil analytical results, and groundwater elevation data collected at the property are attached. Two groundwater flow direction maps are also included as the flow direction has varied greater than 20 degrees.

A statement signed by the responsible party indicating that the legal descriptions attached to the statement are complete and accurate is also included.

A copy of the letter sent by the Responsible Party to Mr. and Mrs. James Filo of West Bend notifying them of the potential groundwater contamination on their property.

A copy of the written notification provided to the Village of Kewaskum notifying them of the potential groundwater contamination within the right of way of Main Street.

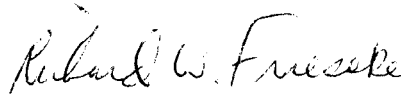
We appreciate your time and attention to this matter. If you have questions or concerns regarding this submittal, please contact us at (414) 351-1440.

Respectfully,

DRAKE ENVIRONMENTAL, INC.



D. J. Burns
Project Manager



Richard W. Friesseke, P.E.
President

cc. Mr. James Kieckhaefer – Trustee of the Robert L. Kohn Testamentary Trust

J97202z

RIVERVIEW STREET

RESIDENCE

ALLEY

(ASPHALT)

KOHN'S CITGO
516 MAIN ST.
KEWASKUM, WI

EXT-1

B-2/
W-2

(CONCRETE)

UST #1
UST #2
UST #3

B-3/
W-3

B-5/
W-5

B-1/
W-1

MAIN STREET

B-4/
W-4

LEGEND

PROPERTY BOUNDARY

DISPENSER PIPING

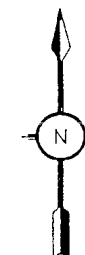
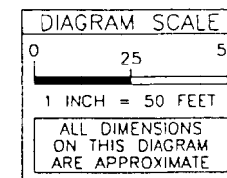
UNDERGROUND
STORAGE TANK

PUMP ISLAND

DOOR

B-3/
W-3 MONITORING WELL
LOCATION

EXT-1 EXTRACTION WELL
LOCATION



KOHN'S CITGO
MONITORING PROGRAM

PROJECT NO J97202 PM DWF
DRAWN BY CCM DATE 09-30-00
CHECKED BY *CCM* DATE *10-17-00*
APPRVD BY DATE
FILE J97202-A1

SITE FEATURES
DIAGRAM

FIGURE

2

TABLE 2 (Page 1 of 3)
Analytical Results — Groundwater Samples
Kohn's Citgo Property
Kewaskum, Wisconsin

	W-1	W-1	W-1	W-1	W-1	W-1	W-1	W-1	W-1		
Parameter	6-29-98	10-8-98	1-5-99	4-14-99	7-7-99	10-5-99	1-3-2000	4-6-2000	7-5-2000	PAL (ppb)	ES (ppb)
GRO (ppb)	7,100	4,000	2,500	1,600	430	<100	<100	1920	<50.0	NL	NL
PVOCs (ppb)											
Benzene	<u>2,200</u>	<u>1,100</u>	<u>860</u>	<u>550</u>	<u>190</u>	<u>30</u>	<u>7.8</u>	<u>458</u>	<u>3.64</u>	0.5	5
Ethylbenzene	<u>700</u>	<u>570</u>	<u>320</u>	<u>210</u>	49	11	7.6	<u>307</u>	1.68	140	700
MTBE	7.9	<6.2	8.2	<3.1	4	4.5	7.8	4.42	3.73	12	60
Toluene	12	21	8.6	<3.5	0.55	<0.35	<0.35	2.5	<0.500	200	1,000
TMBs	338	255	184	72	20.5	4	2	123.13	<1.00	96	480
Total xylenes	2,300	1,400	820	650	120	12	5.9	726	3.55	1,000	10,000

	W-2	W-2	W-2	W-2	W-2	W-2	W-2	W-2	W-2		
Parameter	6-29-98	10-8-98	1-5-99	4-14-99	7-7-99	10-5-99	1-3-2000	4-6-2000	7-5-2000	PAL (ppb)	ES (ppb)
GRO (ppb)	<100	<100	<100	<100	<100	<100	<100	<50.0	<50.0	NL	NL
PVOCs (ppb)											
Benzene	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.500	<0.500	0.5	5
Ethylbenzene	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.500	<0.500	140	700
MTBE	<0.31	<0.31	<0.31	<0.31	<0.31	<0.31	<0.31	0.312	<0.200	12	60
Toluene	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.500	<0.500	200	1,000
TMBs	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<1.0	<1.0	96	480
Total xylenes	<1	<1	<1	<1	<1	<1	<1	<0.500	<0.500	1,000	10,000

ppb = parts per billion

MTBE = Methyl tert-butyl ether

TMBs = Combined 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene

PAL = Preventive Action Limit

ES = Enforcement Standard

NL = No established limit

Notes: Concentrations in **bold** exceed their respective PALs.

Concentrations in **bold** and underlined exceed their respective ESs.

TABLE 2 (Page 2 of 3)
Analytical Results — Groundwater Samples
Kohn's Citgo Property
Kewaskum, Wisconsin

	W-3	W-3	W-3	W-3	W-3	W-3	W-3	W-3	W-3		
Parameter	<u>6-29-98</u>	<u>10-8-98</u>	<u>1-5-99</u>	<u>4-14-99</u>	<u>7-7-99</u>	<u>10-5-99</u>	<u>1-3-2000</u>	<u>4-6-2000</u>	<u>7-5-2000</u>	PAL (ppb)	ES (ppb)
GRO (ppb)	<100	<100	<100	<100	<100	<100	<100	<50.0	<50.0	NL	NL
PVOCs (ppb)											
Benzene	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.500	<0.500	0.5	5
Ethylbenzene	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.500	<0.500	140	700
MTBE	68	51	71	52	1.1	15	28	70.1	57.7	12	60
Toluene	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.500	<0.500	200	1,000
TMBs	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<1.0	<1.0	96	480
Total xylenes	<1	<1	<1	<1	<1	<1	<1	0.732	<0.500	1,000	10,000

	W-4	W-4	W-4	W-4	W-4	W-4	W-4	W-4	W-4		
Parameter	<u>6-29-98</u>	<u>10-8-98</u>	<u>1-5-99</u>	<u>4-28-98</u>	<u>7-7-99</u>	<u>10-5-99</u>	<u>1-3-2000</u>	<u>4-6-2000</u>	<u>7-5-2000</u>	PAL (ppb)	ES (ppb)
GRO (ppb)	<100	<100	<100	<100	<100	<100	<100	<50.0	<50.0	NL	NL
PVOCs (ppb)											
Benzene	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.500	<0.500	0.5	5
Ethylbenzene	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.500	<0.500	140	700
MTBE	<0.31	<0.31	<0.31	2.2	<0.31	<0.31	<0.31	<0.200	<0.200	12	60
Toluene	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.500	<0.500	200	1,000
TMBs	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<1.0	<1.0	96	480
Total xylenes	<1	<1	<1	<1	<1	<1	<1	<0.500	<0.500	1,000	10,000

ppb = parts per billion

MTBE = Methyl tert-butyl ether

TMBs = Combined 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene

PAL = Preventive Action Limit

ES = Enforcement Standard

NL = No established limit

Notes: Concentrations in **bold** exceed their respective PALs.

Concentrations in **bold** and underlined exceed their respective ESs.

TABLE 2 (Page 3 of 3)
Analytical Results — Groundwater Samples
Kohn's Citgo Property
Kewaskum, Wisconsin

Parameter	W-5 6-29-98	W-5 10-28-98	W-5 1-5-99	W-5 4-14-99	W-5 7-7-99	W-5 10-5-99	W-5 1-3-2000	W-5 4-6-2000	W-5 7-5-2000	PAL (ppb)	ES (ppb)
GRO (ppb)	<100	<100	<100	<100	<100	<100	<100	<50.0	<50.0	NL	NL
PVOCs (ppb)											
Benzene	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.32	<0.500	<0.500	0.5	5
Ethylbenzene	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.500	<0.500	140	700
MTBE	<0.31	<0.31	1.9	2.2	2.8	2.6	1.8	2.52	1.92	12	60
Toluene	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.35	<0.500	<0.500	200	1,000
TMBs	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<0.64	<1.0	<1.0	96	480
Total xylenes	<1	<1	<1	<1	<1	<1	<1	<0.500	<0.500	1,000	10,000

Parameter	EXT-1 11-12-98	EXT-1 1-5-99	EXT-1 4-14-99	EXT-1 7-7-99	EXT-1 10-5-99	EXT-1 1-3-2000	EXT-1 4-6-2000	EXT-1 7-5-2000	PAL (ppb)	ES (ppb)
GRO (ppb)	4,400	4,400	1,100	2,800	630	130	88.2	95.7	NL	NL
PVOCs (ppb)										
Benzene	500	500	180	330	12	3.9	2.41	8.11	0.5	5
Ethylbenzene	200	220	130	220	23	2	2.14	2.33	140	700
MTBE	<3.1	<3.1	<3.1	<3.1	<0.31	<0.31	0.450	<0.200	12	60
Toluene	490	32	7.4	120	3.4	1.3	<0.500	1.40	200	1,000
TMBs	344	308	16	270	12	1.6	3.37	1.80	96	480
Total xylenes	1,500	340	22	480	10	1.8	1.55	4.41	1,000	10,000

ppb = parts per billion

MTBE = Methyl tert-butyl ether

TMBs = Combined 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene

PAL = Preventive Action Limit

ES = Enforcement Standard

NL = No established limit

Notes: Concentrations in **bold** exceed their respective PALs.

Concentrations in **bold** and underlined exceed their respective ESs.

(PRE-REMEDIAL)

TABLE 3 (Page 1 of 3)
Soil Sample Analytical Results
Kohn's Citgo Property
PVOCs and Detected VOCs Only

Sample No.	<u>P-II-S</u>	<u>P-1:S-2</u>	<u>P-1:S-4</u>	<u>P-2:S-2</u>	<u>P-2:S-5</u>	<u>P-3:S-2</u>	<u>P-3:S-5</u>	<u>P-4:S-2</u>	<u>P-4:S-5</u>	<u>P-5:S-3</u>	NR 720 Generic RCL
Sample Depth (ft.)	0-1	3-5	7-9	3-5	9-11	3-5	9-11	3-5	9-11	5-7	—
PID Readings (iu)	NA	<1	<1	>1,000	188	>1,000	<1	<1	<1	<1	NS
Parameter											
GRO (ppm)	8,900	<6.4	<5.9	2,200	<5.5	1,200	820	<6.6	<6.0	<6.1	100
*PVOCs (ppb)											
Benzene	34,000	<25	<25	15,000	51	4,600	<25	<25	<25	<25	5.5
n-Butylbenzene	NA	<25	<25	63,000	64	44,000	<25	<25	<25	NA	NS
Ethylbenzene	190,000	<25	<25	53,000	820	33,000	<25	<25	<25	<25	2,900
Isopropylbenzene	NA	<25	<25	7,200	48	6,200	<25	<25	<25	NA	NS
p-Isopropylbenzene	NA	<25	<25	2,200	<25	<1,300	<25	<25	<25	NA	NS
Methyl tert-butyl ether	<5,000	<25	100	<1,300	<25	<1,300	<25	<25	<25	<25	NS
Napthalene	NA	<25	<25	33,000	160	18,000	<25	<25	<25	NA	NS
n-Propylbenzene	NA	<25	<25	22,000	67	17,000	<25	<25	<25	NA	NS
Toluene	320,000	<25	<25	160,000	110	36,000	<25	<25	<25	<25	1,500
1,2,4-Trimethylbenzene	800,000	<25	<25	130,000	900	89,000	33	<25	<25	<25	NS
1,3,5-Trimethylbenzene	250,000	<25	<25	42,000	140	30,000	<25	<25	<25	<25	NS
Total xylenes	1,200,000	<25	<25	270,000	1700	150,000	<25	<25	<25	<25	4,100
Total Lead (ppm)	NA	10	7.4	8.4	2.9	4.9	5.8	8.7	3.9	NA	50

*Includes only those VOCs that were detected.

u = instrument units

ppm = parts per million

ppb = parts per billion

NA = not analyzed

NS = No established standard

RCL = Residual contaminant level as listed in WAC Chapter NR 720.

Note: Concentrations in bold exceed their respective NR 720 generic RCLs.

TABLE 3 (Page 2 of 3)
Soil Sample Analytical Results
Kohn's Citgo Property

	P-5:S-5	P-6:S-3	P-6:S-5	P-7:S-3	P-7:S-5	P-8:S-3	P-8:S-5	NR 720 Generic RCL
Sample No.								
Sample Depth (ft.)	9-11	5-7	9-11	5-7	9-11	5-7	9-11	—
PID Readings (iu)	<1	<1	<1	<1	<1	<1	<1	NS
Parameter								
GRO (ppm)	<5.9	<5.7	<5.6	<5.8	<5.7	<5.4	<5.7	100
*PVOCs (ppb)								
Benzene	<25	<25	<25	<25	<25	<25	<25	5.5
n-Butylbenzene	NA	<25	NA	NA	NA	NA	NA	NA
Ethylbenzene	<25	<25	<25	<25	<25	<25	<25	2,900
Isopropylbenzene	NA	NA	NA	NA	NA	NA	NA	NA
p-Isopropylbenzene	NA	NA	NA	NA	NA	NA	NA	NA
Methyl tert-butyl ether	<25	<25	<25	<25	<25	<25	<25	NS
Napthalene	NA	NA	NA	NA	NA	NA	NA	NA
n-Propylbenzene	NA	NA	NA	NA	NA	NA	NA	NA
Toluene	<25	<25	<25	<25	<25	<25	<25	1,500
1,2,4-Trimethylbenzene	<25	<25	<25	<25	<25	<25	160	NS
1,3,5-Trimethylbenzene	<25	<25	<25	<25	<25	<25	<25	NS
Total xylenes	<25	63	<25	<25	<25	<25	140	4,100
Total Lead (ppm)	NA	NA	NA	NA	NA	NA	NA	50

*Includes only those VOCs that were detected.

iu = instrument units

ppm = parts per million

ppb = parts per billion

NA = not analyzed

NS = No established standard

RCL = Residual contaminant level as listed in WAC Chapter NR 720.

Note: Concentrations in **bold** exceed their respective NR 720 generic RCLs.

TABLE 3 (Page 3 of 3)
Soil Sample Analytical Results
Kohn's Citgo Property

Sample No.	<u>P-9:S-3</u>	<u>P-9:S-5</u>	<u>P-10:S-3</u>	<u>P-10:S-5</u>	<u>P-11:S-2</u>	<u>P-12:S-3</u>	<u>P-13:S-3</u>	<u>P-14:S-3</u>	<u>B-4:S-4</u>	NR 720 <u>Generic RCL</u>
Sample Depth (ft.)	5-7	9-11	5-7	9-11	3-5	5-7	5-7	5-7	8.5-10.5	—
PID Readings (iu)	<1	<1	<1	<1	<1	<1	>2,868	35	<1	NS
Parameter										
GRO (ppm)	<5.5	<5.9	<5.4	<5.7	<10	<10	430	<10	<10	100
PVOCs (ppb)										
Benzene	<25	<25	<25	<25	<25	<25	760	190	<25	5.5
n-Butylbenzene	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ethylbenzene	<25	<25	<25	<25	<25	<25	11,000	680	<25	2,900
Isopropylbenzene	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
p-Isopropylbenzene	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Methyl tert-butyl ether	<25	<25	<25	<25	<25	<25	<500	<25	<25	NS
Napthalene	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
n-Propylbenzene	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Toluene	<25	<25	<25	<25	<25	<25	12,000	<25	<25	1,500
1,2,4-Trimethylbenzene	<25	<25	<25	<25	<25	<25	34,000	580	<25	NS
1,3,5-Trimethylbenzene	<25	<25	<25	<25	<25	<25	11,000	130	<25	NS
Total xylenes	<25	<25	<25	<25	<50	<50	48,000	2,200	<50	4,100
Total Lead (ppm)	NA	NA	NA	NA	NA	NA	NA	NA	NA	50

*Includes only those VOCs that were detected.

iu = instrument units

ppm = parts per million

ppb = parts per billion

NA = not analyzed

NS = No established standard

RCL = Residual contaminant level as listed in WAC Chapter NR 720.

Note: Concentrations in **bold** exceed their respective NR 720 generic RCLs.

POST REMEDIAL

TABLE 3 (Page 1 of 3)
Soil Analytical Results
Kohn's Citgo Property
Kewaskum, Wisconsin

Sample No. Location	<u>CS-1</u> Center UST #1	<u>CS-2</u> Center UST #2	<u>CS-3</u> Center UST #3	<u>CS-4</u> Beneath South Dispenser	<u>CS-6</u> Beneath North Dispenser	<u>CS-7</u> East Wall A	<u>NR 720 Generic RCL</u>
Sample Depth (ft.)	4	4	4	4	4	6	
PID Reading (iu)	< 1	< 1	4.2	8.3	< 1	< 1	
<u>Parameter</u>							
GRO (ppm)	< 10	< 10	< 10	< 10	< 10	< 10	100
PVOCs (ppb)							
Benzene	< 25	< 25	< 25	< 25	< 25	< 25	5.5
Ethylbenzene	< 25	< 25	< 25	< 25	< 25	< 25	2,900
Methyl tert-butyl ether	< 25	< 25	< 25	< 25	< 25	< 25	NS
Toluene	< 25	< 25	< 25	< 25	< 25	< 25	1,500
1,2,4-trimethylbenzene	< 25	< 25	< 25	< 25	< 25	< 25	NS
1,3,5-trimethylbenzene	< 25	< 25	< 25	< 25	< 25	< 25	NS
Total xylenes	55	< 50	60	< 50	< 50	< 50	4,100

iu = instrument units

ppm = parts per million

ppb = parts per billion

< = Less than the specified detection limit.

NS = No standard has been established.

RCL = Residual contaminant level as established in Wisconsin Administrative Code Chapter NR 720.

TABLE 3 (Page 2 of 3)
Soil Analytical Results
Kohn's Citgo Property
Kewaskum, Wisconsin

Sample No.	<u>CS-8</u>	<u>CS-9</u>	<u>CS-10</u>	<u>CS-11</u>	<u>CS-12</u>	<u>CS-13</u>	<u>NR 720 Generic RCL</u>
Location	East Wall B	East Base	North Wall #1	South Wall #1	South Wall #2	North Wall #2	
Sample Depth (ft.)	9	9	7	7	6	6	
PID Reading (iu)	< 1	< 1	1,910	> 2,000	> 2,000	> 2,000	
<u>Parameter</u>							
GRO (ppm)	< 10	< 10	1,800	390	500	1,900	100
PVOCs (ppb)							
Benzene	< 25	< 25	2,800	310	2,300	< 500	5.5
Ethylbenzene	< 25	< 25	34,000	7,300	12,000	56,000	2,900
Methyl tert-butyl ether	< 25	< 25	< 250	< 25	< 250	< 500	NS
Toluene	< 25	< 25	45,000	4,700	24,000	83,000	1,500
1,2,4-trimethylbenzene	< 25	< 25	150,000	28,000	41,000	150,000	NS
1,3,5-trimethylbenzene	< 25	< 25	42,000	8,000	11,000	40,000	NS
Total xylenes	< 50	< 50	210,000	35,000	65,000	270,000	4,100

iu = instrument units

ppm = parts per million

ppb = parts per billion

< = Less than the specified detection limit.

> = Greater than the specified detection limit.

NS = No standard has been established.

RCL = Residual contaminant level as established in Wisconsin Administrative Code Chapter NR 720.

Notes: Concentrations that exceed their DNR NR 720 generic RCLs are in bold type.

TABLE 3 (Page 3 of 3)
Soil Analytical Results
Kohn's Citgo Property
Kewaskum, Wisconsin

Sample No.	<u>CS-14</u>	<u>CS-15</u>	<u>CS-16</u>	<u>TS-1</u>	<u>TS-12</u>	<u>NR 720 Generic RCL</u>
Location	West Wall A	West Wall B	West Base	Excavated soils	Excavated soils	
Sample Depth (ft.)	6	6	9	—	—	
PID Reading (iu)	860	652	683	> 2,000	> 2,000	
<u>Parameter</u>						
GRO (ppm)	43	180	17	520	1,600	100
PVOCs (ppb)						
Benzene	37	45	710	< 500	5,700	5.5
Ethylbenzene	240	570	1,400	5,300	40,000	2,900
Methyl tert-butyl ether	< 25	< 25	< 25	< 500	< 250	NS
Toluene	200	260	120	4,700	64,000	1,500
1,2,4-trimethylbenzene	700	10,000	1,200	63,000	120,000	NS
1,3,5-trimethylbenzene	320	3,400	300	17,000	930,000	NS
Total xylenes	610	2,900	6,600	47,000	200,000	4,100

iu = instrument units

ppm = parts per million

ppb = parts per billion

< = Less than the specified detection limit.

> = Greater than the specified detection limit.

NS = No standard has been established.

RCL = Residual contaminant level as established in Wisconsin Administrative Code Chapter NR 720.

Notes: Concentrations that exceed their DNR NR 720 generic RCLs are in bold type.

DIAGRAM SCALE

0 20 40

1 INCH = 40 FEET

ALL DIMENSIONS ON THIS DIAGRAM ARE APPROXIMATE



KEY

PID • PHOTOIONIZATION DETECTOR
 GRO • GASOLINE RANGE ORGANICS
 B • BENZENE
 EB • ETHYL BENZENE
 ATBE • METHYL TERT BUTYL ETHER
 T • TOLUENE
 TAB • TRIETHYLBENZENE
 X • XYLENES
 IU • INSTRUMENT UNITS
 > GREATER THAN
 < LESS THAN
 PPA • PARTS PER MILLION
 PPB • PARTS PER BILLION

NOTE CONCENTRATIONS THAT EXCEED THEIR DNR N4 720 GENERIC RCLs ARE IN BOLD TYPE

RIVERVIEW STREET

RESIDENCE

CS-14
 PID • 860 IU
 GRO • 43 PPA
 B • 37 PPB
 EB • 240 PPB
 ATBE • 25 PPB
 T • 200 PPB
 12.4-TAB • 700 PPB
 135-TAB • 320 PPB
 X • 610 PPB

CS-8
 PID • 683 IU
 GRO • 17 PPA
 B • 710 PPB
 EB • 1400 PPB
 ATBE • 25 PPB
 T • 120 PPB
 12.4-TAB • 1200 PPB
 135-TAB • 300 PPB
 X • 6600 PPB

CS-15
 PID • 652 IU
 GRO • 180 PPA
 B • 45 PPB
 EB • 570 PPB
 ATBE • 25 PPB
 T • 250 PPB
 12.4-TAB • 10000 PPB
 135-TAB • 3400 PPB
 X • 2900 PPB

CS-10
 PID • 1910 IU
 GRO • 1800 PPA
 B • 2600 PPB
 EB • 34000 PPB
 ATBE • 250 PPB
 T • 45000 PPB
 12.4-TAB • 15000 PPB
 135-TAB • 42000 PPB
 X • 21000 PPB

CS-13
 PID • 2000 IU
 GRO • 1900 PPA
 B • 520 PPB
 EB • 56000 PPB
 ATBE • 500 PPB
 T • 83000 PPB
 12.4-TAB • 150000 PPB
 135-TAB • 40000 PPB
 X • 270000 PPB

B-3/
W-3

FORMER UST
EXCAVATION
AREA

B-1/
W-1

B-5/
W-5

CS-12
 PID • 2000 IU
 GRO • 500 PPA
 B • 2300 PPB
 EB • 12000 PPB
 ATBE • 250 PPB
 T • 24000 PPB
 12.4-TAB • 41000 PPB
 135-TAB • 11000 PPB
 X • 65000 PPB

CS-11
 PID • 2000 IU
 GRO • 390 PPA
 B • 310 PPB
 EB • 7300 PPB
 ATBE • 25 PPB
 T • 4700 PPB
 12.4-TAB • 28000 PPB
 135-TAB • 8000 PPB
 X • 35000 PPB

CS-9
 PID • 4 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 50 PPB

CS-7
 PID • 4 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 50 PPB

CS-8
 PID • 4 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 50 PPB

CS-3
 PID • 42 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 60 PPB

CS-2
 PID • 4 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 50 PPB

CS-1
 PID • 4 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 55 PPB

CS-5
 NO SAMPLE
SUBMITTED

CS-4
 PID • 93 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 50 PPB

CS-6
 PID • 4 IU
 GRO • 40 PPA
 B • 25 PPB
 EB • 25 PPB
 ATBE • 25 PPB
 T • 25 PPB
 12.4-TAB • 25 PPB
 135-TAB • 25 PPB
 X • 50 PPB

KOHN'S CITGO
 516 MAIN STREET
 KEWAUKUM, WISCONSIN

GARAGE

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

DOOR

ALLEY

UST PIPING
AND DISPENSER
ISLAND
EXCAVATION
AREA

DOOR PIPING

CONCRETE

SIDEWALK

ENTRANCE

PROPERTY BOUNDARY

B-4/
W-4

▲ • MONITORING WELL LOCATION



KOHN'S CITGO
 REMEDIATION

PROJECT NO J97202 PA BLL
 DRAWN BY JAM DATE 01/26/99
 CHKD BY JAM DATE 3/31/99
 APRVD BY JAM DATE 3/31/99

SOIL SAMPLE ANALYTICAL RESULTS
 DIAGRAM

FIGURE
 4

FILE J7202BIL6/11/12/13/17/20

RIVERVIEW STREET

RESIDENCE

ALLEY

KEWASKUM STREET

KOHN'S CITGO
516 MAIN ST.
KEWASKUM, WI

(ASPHALT)

(CONCRETE)

B-3/
W-3
<0.5 ppb

B-5/
W-5
<0.5 ppb

3.64 ppb
B-1/
W-1

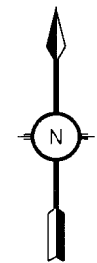
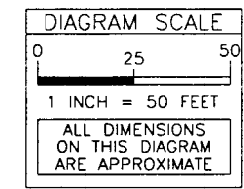
EXT-1 8.11 ppb <0.5 ppb
B-2/
W-2

B-4/
W-4
<0.5 ppb

LEGEND

- PROPERTY BOUNDARY
- DISPENSER PIPING
- UNDERGROUND STORAGE TANK
- PUMP ISLAND
- DOOR
- B-3/
W-3 MONITORING WELL LOCATION
- EXT-1 EXTRACTION WELL LOCATION
- ppb PARTS PER BILLION

MAIN STREET



KOHN'S CITGO
MONITORING PROGRAM

PROJECT NO J97202 PM DJB
DRAWN BY AKW DATE 12/2/02
CHECKED BY DATE
APPRVD BY DATE
FILE J97202-A14

CW BENZENE CONCENTRATIONS
DIAGRAM
(JULY 5, 2000)

FIGURE

3

TABLE 1
Groundwater Elevations
Kohn's Citgo Property
Kewaskum, Wisconsin

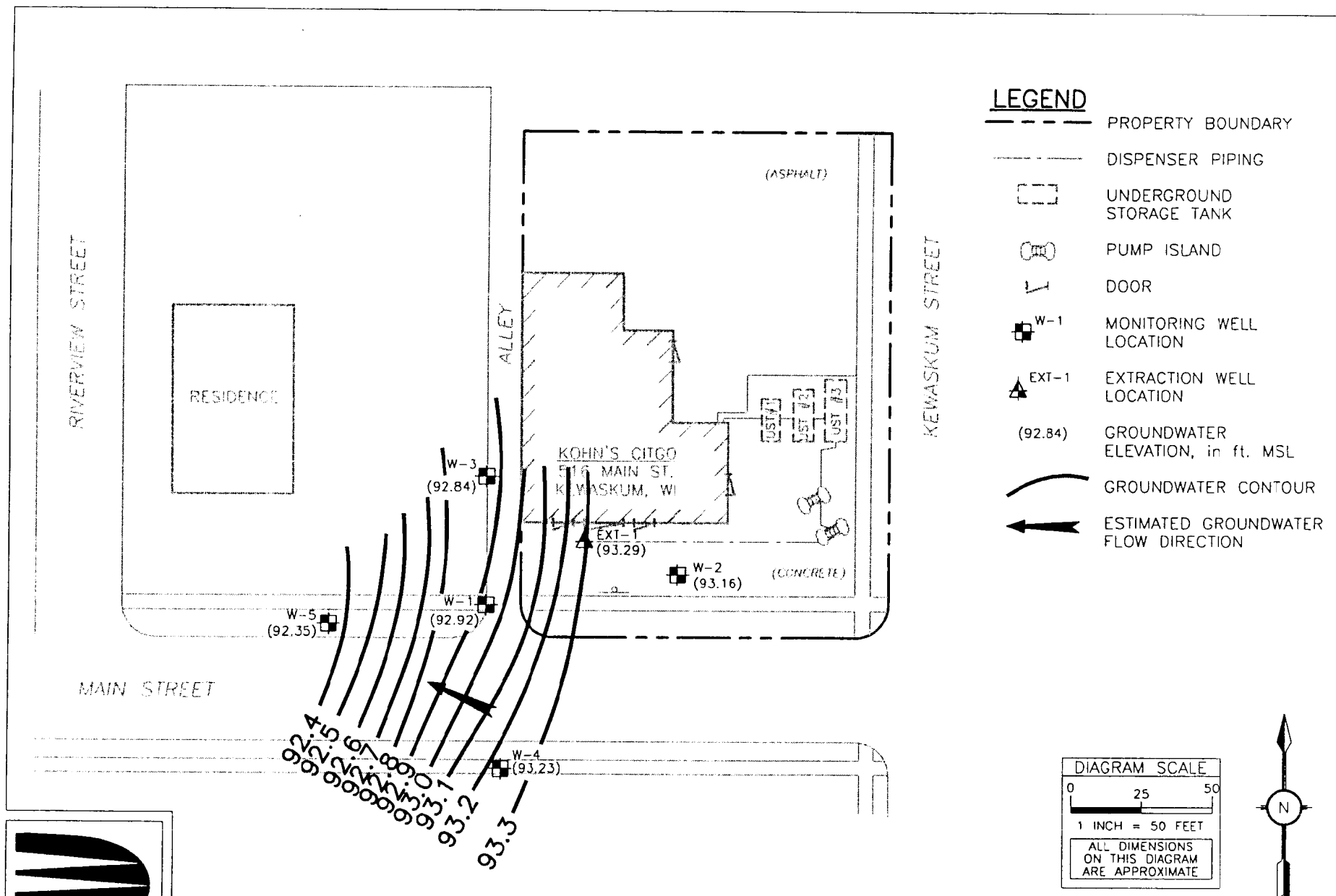
<u>Well</u> <u>Location</u>	<u>Top of Well</u> <u>Elevation (ft.)</u>	<u>6-29-98</u>	<u>7-29-98</u>	<u>10-8-98</u>	<u>1-5-99</u>	<u>4-14-99</u>	<u>7-7-99</u>	<u>10-5-99</u>	<u>1-3-00</u>	<u>4-6-00</u>	<u>7-5-00</u>
W-1	97.91	93.47	92.80	93.24	92.23	93.99	93.32	93.18	92.35	92.92	93.33
W-2	97.63	94.18	93.08	93.60	92.40	94.20	92.51	93.29	92.48	93.16	93.62
W-3	98.16	93.37	92.61	92.89	92.26	93.97	94.06	92.82	92.31	92.84	93.03
W-4	97.51	93.84	93.14	93.47	92.69	93.99	93.58	93.51	89.83	93.23	93.45
W-5	97.94	NC	NC	*92.30	91.94	92.89	92.54	92.49	92.04	92.35	92.51
EXT-1	98.03	NC	NC	NC	92.40	94.06	93.51	93.17	92.41	93.29	93.52

NC=Well not yet constructed

* Water elevation at W-5 measured on 10-28-98

Benchmark: The top of the northeast bolt on the upper flange of the fire hydrant located on the northwest corner of the intersection of Main Street and Riverview Street.

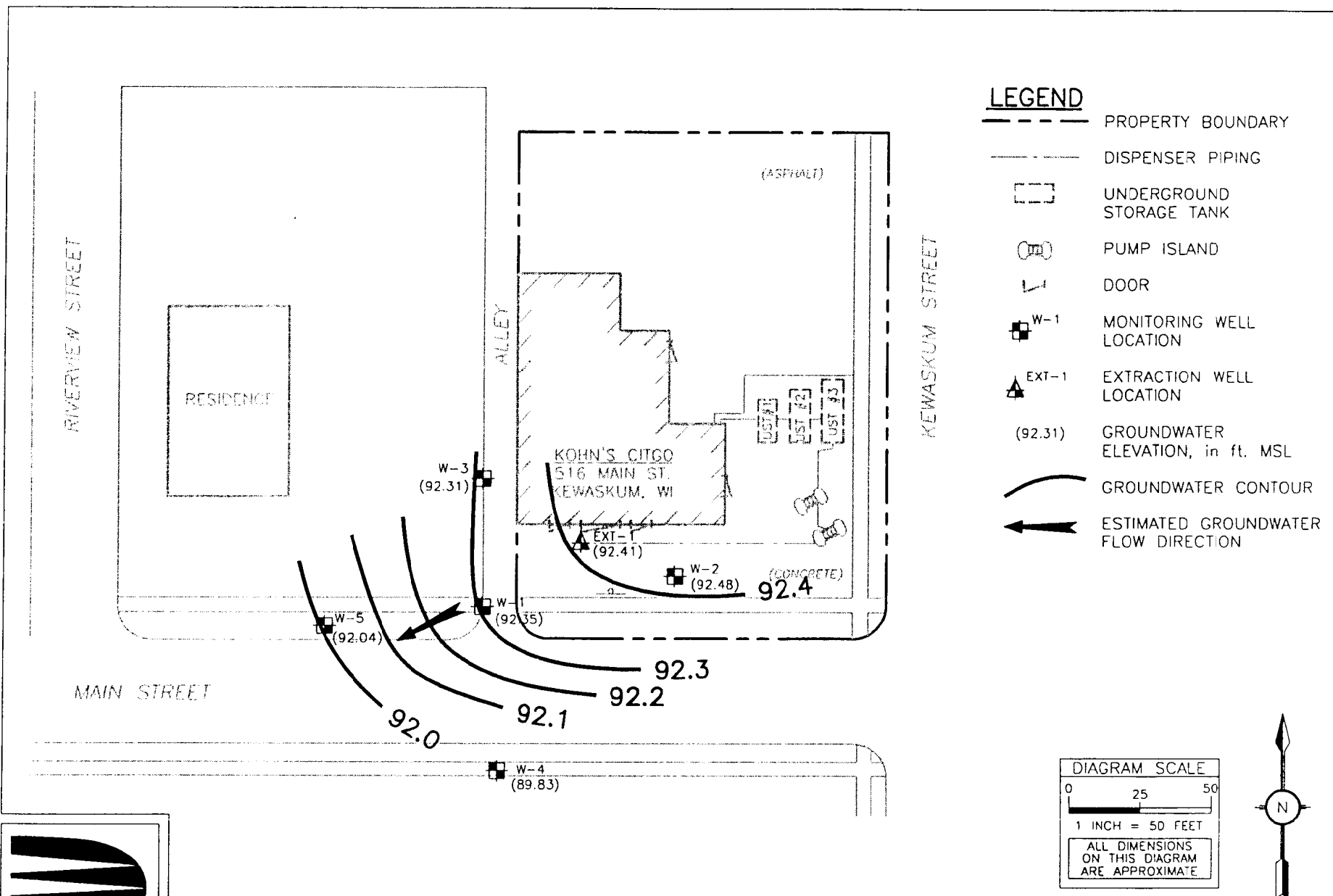
Notes: Monitoring wells and sump were resurveyed April 14, 1999.



KOHN'S CITGO
MONITORING PROGRAM

PROJECT NO.	J97202	PM DWF
DRAWN BY	CCM	DATE 09-30-00
CHECKED BY	CCM	DATE 10-31-00
APPRVD BY		DATE
FILE	J97202-A8	

GROUNDWATER FLOW DIAGRAM
APRIL 2000

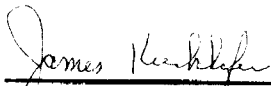


KOHN'S CITGO
MONITORING PROGRAM

December 2, 2002

To Whom It May Concern:

I believe that the attached legal descriptions are complete and accurate to the best of my knowledge.



James Kieckhafer

Trustee of the Robert L. Kohn Testamentary Trust

O'Meara Law Firm, LLP

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Of Counsel

20 September 2002

Mr. and Mrs. James P. Filo
2677 Newark Drive
West Bend, WI 53090-8627

Subject: 502 Main Street, Kewaskum

Dear Mr. and Mrs. Filo:

I represent Jim Kieckhafer, who is the trustee of the Robert Kohn Testamentary Trust. The Trust owns what has been known as Kohn's Citgo, which is directly east of your property. Groundwater contamination appears to have originated on the Kohn property and has migrated onto your property at 502 Main Street. The levels of contamination in the groundwater on your property are above the State groundwater enforcement standards found in Chapter NR140, Wisconsin Administrative Code. However, the environmental consultations who have investigated this contamination have informed me that this groundwater contaminant plume are receding and will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at the site will meet the requirements for case closure that are found in Chapter NR726 (COMM 46) Wisconsin Administrative Code and I will be requesting that the Department of Commerce accept natural attenuation as the final remedy for the site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action be taken other than the reliance on natural attenuation.

Since the source of the groundwater contamination is not on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or cleanup of this groundwater contamination, so long as you and any subsequent owners comply with the requirements of Section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or cleanup, if access is required. As a prerequisite to issuing closure on this file, the Department of Commerce is requiring that we obtain and record a groundwater restriction on your property. Please sign the Notice of Contamination to Property, which is enclosed with this letter, in front of a Notary Public, and return it to my office in the enclosed self-addressed stamped envelope. I will then forward it to the Washington County Register of Deeds for recording. This document will, as a practical matter, not impact your use of your property as you are already connected to a municipal water supply.

Established
in 1870

O'Meara Law Firm, LLP

20 September 2002

Mr. and Mrs. James P. Filo
Page 2

Please feel free to contact me if you have any questions regarding this matter. Please accept in advance my thanks for your cooperation in this matter.

Very truly yours,

O'MEARA LAW FIRM, LLP

Karen M. Christianson

KMC:ks

Enclosures

cc: Mr. James Kieckhafer
Mr. Lee Delcore,
Wisconsin Department of Commerce

MAILED 12/10/02

December 2, 2002

Mr. Jerry Gilles
Department of Public Works
204 First Street
Village of Kewaskum
Kewaskum, WI 53040

RE: Notification of Potential Petroleum Contamination Located Within the Public Right-Of-Way Along Main Street. (File references: Commerce # 53040-0472-16 and BRRTS # 03-67-174844)

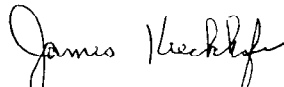
Dear Mr. Gilles:

The purpose of this letter is to notify the Village of Kewaskum that petroleum contaminated groundwater may be present within the public right-of-way adjacent to the property located at 516 Main Street in the Village of Kewaskum. The groundwater contamination may extend across the southern boundary of the above referenced property into the public right-of-way of Main Street.

Petroleum contamination associated with a former underground storage tank (UST) system was discovered at the property in September, 1997. The Wisconsin Department of Natural Resources (DNR) was notified of the contamination and a site investigation and remedial action were conducted. The site was granted conditional closure, with no further action required, by the Department of Commerce (Commerce) on December 29, 2000.

The environmental reports concerning this site are available from Commerce under the file reference numbers listed above. Please contact me if you have any questions.

Sincerely,



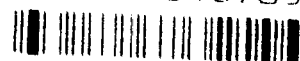
James Kieckhaefer
Trustee of the Robert L. Kohn Testamentary Trust

J97202Y

Document Number

**NOTICE OF CONTAMINATION TO
PROPERTY**

DOC#: 940789



Legal Description of the Property: In re:

Lots Twelve (12) and Thirteen (13) of Block Thirty-nine (39) in the Assessor
Plat of the Village of Kewaskum, Washington County, Wisconsin

Recorded
JULY 29, 2002 AT 08:00AM
DOROTHY C. GONNERING
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$13.00

Recording Area

Name and Return Address
O'Meara Law Firm LLP
Attn: Karen M. Christianson
P.O. Box 348
West Bend, WI 53095

13-2

V4-0513

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
 ss)
COUNTY OF WASHINGTON)

Section 1. Robert L. Kohn Testamentary Trust, James W. Kieckhafer, Trustee, is the owner of the above-described property.

Section 2. One or more petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards and petroleum contaminated soils above NR 720 residual contaminant levels of the Wisconsin Administrative Code exist on and near the southwest corner of this property, in the area of the former gasoline underground storage tank removed in 1986.

Section 3. The owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and/or restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

Residual petroleum contaminated soil with benzene, ethylbenzene, toluene, and total xylene levels as high as 2,800 ug/kg, 56,000 ug/kg, 83,000 ug/kg and 270,000 ug/kg, respectively, remains on and near the southwest corner of this property, at depth, in the area of the former gasoline underground storage tank removed in 1986. It has been shown that these levels are protective of health and the environment. If this contaminated soil is excavated in the future, it may be considered a solid waste and will need to be disposed in accordance with all applicable laws.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Commerce, or its successor, issue a determination that the restrictions set forth in this covenant are no longer required. That property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding. Any restriction placed upon this property shall not be extinguished without the Department's written determination.

IN WITNESS WHEREOF, the owner of the property has executed this document, this 22 day of July, 2002.

By signing this document, James W. Kieckhafer acknowledges that he is duly authorized to sign this document on behalf of Robert L. Kohn Testamentary Trust.

Signature: James W. Kieckhafer

Printed Name: James W. Kieckhafer

Title: Trustee

Subscribed and sworn to before me this 22 day of July, 2002

Karen M. Christenson
Notary Public, State of Wisconsin.

My commission is permanent

This document was drafted by the Wisconsin Department of Commerce.

Pat Kohn Robert Notice Site Property